

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I. Amendments to the Claims

Independent claims 43, and 55-58 have been amended to clarify features of the invention recited therein and to further distinguish the claimed invention from the references relied upon in the rejections discussed below. Support for these amendments can be found, at least in Figs. 4 and 13 and paragraphs [0200], [0469] and [0533] of the publication of the present application.

In addition, claims 48-54 have been amended.

Further, new claim 60 has been added to depend from claim 43.

II. 35 U.S.C. § 103(a) Rejections

Claims 43-45, 51, 52 and 55-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ansell et al. (U.S. 6,367,019) and Moribe et al. (U.S. 5,886,979). Further, dependent claims 46-50, 53 and 54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ansell, Moribe, and Lotspiech (U.S. 6,609,116). Additionally, claim 59 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Ansell, Moribe and the Examiner's Official Notice. These rejections are believed clearly inapplicable to claims 43-60 for the following reasons.

Amended independent claim 43 is directed to a recording apparatus for recording encrypted content onto a recording medium. Further, claim 43 recites that the recording apparatus includes a device key storing unit that stores a device key assigned to the recording

apparatus, and includes a storage unit that stores a piece of key revocation data that includes encrypted media keys, such that each encrypted media key is generated (i) for a respective unrevoked apparatus of a plurality of unrevoked apparatuses, and (ii) by encrypting a media key based on a device key assigned to the respective unrevoked apparatus. Claim 43 also recites that the recording apparatus that includes a key encrypting unit that generates an encrypted content key by encrypting the content key based on a media key obtained, using the device key stored in the device key storing unit, from the piece of key revocation data stored in the storage unit. Finally, claim 43 recites that the apparatus includes a writing unit that, when a comparing unit confirms that the piece of key revocation data does not exist on the recording medium, records the encrypted content, an encrypted content key, and the piece of key revocation data that includes the plurality of encrypted media keys stored in the storage unit into a rewritable area of the recording medium. Ansell and Moribe, or any combination thereof fails to disclose or suggest the above-mentioned distinguishing features now recited in amended claim 43.

Initially, the Applicants note that the continuation sheet of the Advisory Action mailed on April 13, 2010 states that “Ansell discloses a writing unit operable to record the encrypted content, the encrypted content key, and the piece of key revocation data stored in the storage unit into the rewritable area of the recording medium (see at least, col. 5, lines 46-col. 6, lines 65).” In addition, the Applicants note that the continuation sheet states that “Ansell discloses key revocation data composed of a plurality if encrypted media keys (see at least, col. 6, lines 29-50 and col. 10, lines 29-55).” Finally, the Applicants note that the continuation sheet states that Moribe discloses “a comparing unit that can confirm whether data exists on a medium and whether a writing unit can write on the medium (see at least, col. 10, lines 19-55).”

However, even if Ansell were to disclose a writing unit that records encrypted content, an encrypted content key, and a piece of key revocation data into a rewritable area of a recording medium, and even if Ansell were to disclose key revocation data composed of a plurality of encrypted media keys, it is respectfully submitted that Ansell still fails to disclose or suggest a device key storing unit that stores a device key assigned to the recording apparatus, such that a key encrypting unit generates an encrypted content key by encrypting a content key based on a media key obtained, using the device key stored in the device key storing unit, from a piece of key revocation data stored in a storage unit, and such that a writing unit records the encrypted content, an encrypted content key, and the piece of key revocation data that includes the plurality of encrypted media keys stored in the storage unit into a rewritable area of the recording medium, as required by claim 43.

Furthermore, even if Moribe were to disclose confirming whether data exists on a medium and whether a writing unit can write on the medium, the Applicants respectfully submit that Moribe still fails to disclose or suggest a device key storing unit that stores a device key assigned to the recording apparatus, such that a key encrypting unit generates an encrypted content key by encrypting a content key based on a media key obtained, using the device key stored in the device key storing unit, from a piece of key revocation data stored in a storage unit, and such that a writing unit records the encrypted content, an encrypted content key, and the piece of key revocation data that includes the plurality of encrypted media keys stored in the storage unit into a rewritable area of the recording medium, as required by claim 43.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 43 and claims 44-54, 59 and 60 that depend therefrom would not have been obvious or result from any combination of Ansell and Moribe.

Regarding dependent claims 46-50, 53, 54 and 59, which were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ansell and Moribe in view of various combinations of Lotspiech and the Examiner's Official Notice, it is respectfully submitted that Lotspiech and the Examiner's Official Notice does not disclose or suggest the above-discussed features of independent claim 43 which are lacking from the Ansell and Moribe references. Therefore, no obvious combination of Ansell and Moribe with Lotspiech and/or the Official Notice would result in, or otherwise render obvious, the invention recited independent claim 43 and claims 44-54, 59 and 60 that depend therefrom.

Furthermore, there is no disclosure or suggestion in Ansell, Moribe, Lotspiech and/or Official Notice or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Ansell, Moribe, Lotspiech and/or the Official Notice to obtain the invention of independent claim 43. Accordingly, it is respectfully submitted that independent claim 43 and claims 44-54, 59 and 60 that depend therefrom are clearly allowable over the prior art of record.

Amended independent claims 55, 56, 57 and 58 are directed to a method, a program, a storage medium and a system, respectively and each recite features that correspond to the above-mentioned distinguishing features of independent claim 43. Thus, for the same reasons discussed above, it is respectfully submitted that independent claims 55, 56, 57 and 58 are allowable over any combination of Ansell, Moribe, Lotspiech and/or the Official Notice.

III. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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